

UNITED STATES DISTRICT COURT

Western District of Arkansas

UNITED STATES OF AMERICA

v.

Judgment in a Criminal Case

(For **Revocation** of Probation or Supervised Release)

GERALD WAYNE BREWER

Case No. 6:06CR60019-001

USM No. 07121-010

Morse U. Gist, Jr.

Defendant's Attorney

THE DEFENDANT:

☒ admitted guilty to violation of conditions Special Condition 2, and Standard Condition 3, of the term of supervision.

☐ was found in violation of condition(s) count(s) _____ after denial of guilt.

The defendant is adjudicated guilty of these violations:

<u>Violation Number</u>	<u>Nature of Violation</u>	<u>Violation Ended</u>
One	Special Condition 2 - Use of Computer Internet Services Without Prior Approval	September 20, 2016
Two	Standard Condition 3 – Answer Truthfully All Inquiries by the Probation Officer	August 31, 2016

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed the Sentencing Reform Act of 1984.

☐ The defendant has not violated condition(s) _____ pursuant to and is discharged as to such violation(s)

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Last Four Digits of Defendant's Soc. Sec. 8522

Defendant's Year of Birth: 1957

City and State of Defendant's Residence:
Hot Springs, Arkansas

June 28, 2018

Date of Imposition of Judgment

/s/ Susan O. Hickey

Signature of Judge

Honorable Susan O. Hickey, U.S. District Judge

Name and Title of Judge

July 9, 2018

Date

DEFENDANT: GERALD WAYNE BREWER
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IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of :

one (1) month.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☒ The defendant shall surrender to the United States Marshal for this district:

☒ at Bi-State Justice Center on July 12, 2018 .

☒ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____ .

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____ with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: GERALD WAYNE BREWER
CASE NUMBER: 6:06CR60019-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **five (5) years**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☒ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☒ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: GERALD WAYNE BREWER
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SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment and monitoring of sex offenders.
2. The defendant is restricted from all computer Internet services without prior approval of the probation officer. The defendant will notify the probation officer of any and all access to a computer.
3. The defendant shall permit the probation officer to conduct regular or random searches of any computer to which the defendant has access. This search shall also include any computer discs, CD-ROMs, zip discs, or any other storage media whether installed within a device or removable and separate from the actual computer device. The defendant shall permit the probation officer to install software designed to monitor computer use on any computer to which the defendant has access.
4. The defendant shall submit to a search, at any time, with or without a warrant, and by any law enforcement or probation officer, of the defendant's person and any property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects upon reasonable suspicion concerning a violation of a condition of supervised release or unlawful conduct by the defendant, or by any probation officer in the lawful discharge of the officer's supervision functions.
5. Defendant shall not access, view, possess, or have under his control any pornography, including any material that depicts or alludes to sexual activity, sexually arousing material, or sexually explicit conduct as defined by 18 U.S.C. §2256(2). This includes, but is not limited to, any such material obtained through access to any computer or any other electronic device, and any that are self produced.
6. Defendant shall spend the first two (2) months of supervised release under the terms and conditions of home detention with electronic monitoring. During home detention, the defendant shall not leave his residence for any reason without authorization from the U.S. Probation Officer. When authorized, the defendant is allowed to leave his residence for employment, community service, medical care, educational or training programs, religious purposes, or such other times as may be specifically authorized.